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Approved For Release 2005/06/06 : CIA-RDP72-00337R000400040032-6



CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D. C. 20505

OFFICE OF THE DIRECTOR

The Honorable William P. Rogers  
Secretary of State  
Washington, D. C. 20520

My dear Mr. Secretary:

You may recall that on 19 May 1970 the Senate passed and sent to the House S. 782, Senator Ervin's bill to protect civilian employees of the Executive Branch in the enjoyment of their constitutional rights, and to prevent governmental invasion of their privacy. The bill is now being considered in the House Post Office and Civil Service Committee, and I understand may be reported out shortly.

This bill would seem to have a serious impact on personnel management throughout the Executive Branch of the Government. Certainly it would, in its present form, create major problems for those agencies dealing with sensitive security matters.

In view of the concern which I think we share over this proposed legislation, I am forwarding for your information my proposed letter to Chairman Henderson, of the Subcommittee on Manpower and Civil Service of the House Post Office and Civil Service Committee, responding to his request for my views. As this letter points out, certain provisions of the bill would directly conflict with the statutory responsibilities of the Director of Central Intelligence for protecting intelligence sources and methods, and data relating to the organization of the Central Intelligence Agency.

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**CENTRAL INTELLIGENCE AGENCY**

WASHINGTON, D. C. 20505

**OFFICE OF THE DIRECTOR**

The Honorable Melvin R. Laird  
Secretary of Defense  
Washington, D. C. 20301

My dear Mr. Secretary:

You may recall that on 19 May 1970 the Senate passed and sent to the House S. 782, Senator Ervin's bill to protect civilian employees of the Executive Branch in the enjoyment of their constitutional rights, and to prevent governmental invasion of their privacy. The bill is now being considered in the House Post Office and Civil Service Committee, and I understand may be reported out shortly.

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**CENTRAL INTELLIGENCE AGENCY**

WASHINGTON, D. C. 20505

**OFFICE OF THE DIRECTOR**

The Honorable John N. Mitchell  
Attorney General  
Washington, D. C. 20530

My dear Mr. Attorney General:

You may recall that on 19 May 1970 the Senate passed and sent to the House S. 782, Senator Ervin's bill to protect civilian employees of the Executive Branch in the enjoyment of their constitutional rights, and to prevent governmental invasion of their privacy. The bill is now being considered in the House Post Office and Civil Service Committee, and I understand may be reported out shortly.

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**CENTRAL INTELLIGENCE AGENCY**

WASHINGTON, D. C. 20505

**OFFICE OF THE DIRECTOR**

The Honorable Robert E. Hampton  
Chairman, Civil Service Commission  
Washington, D. C. 20415

My dear Mr. Hampton:

You may recall that on 19 May 1970 the Senate passed and sent to the House S. 782, Senator Ervin's bill to protect civilian employees of the Executive Branch in the enjoyment of their constitutional rights, and to prevent governmental invasion of their privacy. The bill is now being considered in the House Post Office and Civil Service Committee, and I understand may be reported out shortly.

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The bill also contains other troublesome provisions. It would, for example:

- a. Seriously restrict Executive agencies in applying reasonable measures to ensure the loyalty and suitability of personnel occupying sensitive positions or enjoying access to highly classified information.
- b. Permit an employee to refuse to answer any question which might lead to disciplinary action, unless counsel or other representative of his choice is present.
- c. Authorize an employee or applicant to bring civil suit in a Federal district court against any official who allegedly has violated, or threatened to violate, the law.

Enactment of this legislation I think would result not only in substantial administrative disruption, but also in opportunities for deliberate harassment of Executive agencies by disgruntled employees and organized troublemakers.

My Legislative Counsel, Mr. John M. Maury, will be available to discuss the matter further with members of your staff should they wish to contact him.

Sincerely,

Richard Helms  
Director

Enclosure

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## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

S. 782 - Ervin Bill

FROM:

EXTENSION

NO.

Legislative Counsel

DATE

26 June 1970

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Director

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

13.

14.

15.

The attached letters were prepared in case it appeared desirable for us to focus high level attention in State, Justice, Defense and the Civil Service Commission on the problems created by the Ervin bill. (Henderson has also asked for their views.) Henderson's expression of surprise yesterday that no other agencies appear concerned about this legislation prompts me to recommend that the letters be sent.

STAT

John M. Maurer  
Legislative Counsel

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